



OFFICE OF
Pauline G. González

DISTRICT CLERK
HIDALGO COUNTY

MAY 13, 1987

DRAWER 87
EDINBURG, TEXAS 78540
512 383-2751, ext 200

TO: BRIG MARMOLEJO
HIDALGO COUNTY SHERIFF
HIDALGO COUNTY
EDINBURG, TEXAS 78540


IN RE: CR-105-87-C
STATE OF TEXAS
VS
ALFREDO RIVERA HINOJOSA

MR. MARMOLEJO:

ENCLOSED PLEASE FIND A CERTIFIED COPY OF THE JUDGMENT ON
PLEA OF GUILTY BEFORE COURT TOGETHER WITH A COPY OF THE
STATEMENT OF FACTS FORM WHICH HAVE BEEN FILED IN THE
ABOVE-MENTIONED CAUSE.

SHOULD ANY QUESTIONS ARISE, FEEL FREE TO CONTACT THE
UNDERSIGNED.

SINCERELY,
PAULINE G. GONZALEZ
DISTRICT CLERK
HIDALGO COUNTY, TEXAS


VIDALA LEIJA, DEPUTY

XC: COURTS' FILE

XC: TEXAS DEPARTMENT OF CORRECTIONS, BUREAU OF CLASSIFICATION,
P.O. BOX 99 HUNTSVILLE, TEXAS 77340

XC: HON. OMAR JAIME GARZA, COURTHOUSE, EDINBURG, TEXAS 78540

XC: BOARD OF PARDONS AND PAROLES, P.O. BOX 13401, CAPITAL STATION,
AUSTIN, TEXAS 78711

XC: HON. JOSE ANTONIO GOMEZ, 106 SOUTH 12TH, SUITE 116, EDINBURG, TEXAS 7

STATEMENT OF FACTS

FILED
AT 2:10 O'CLOCK P.M.
APR 23 1987

INSTRUCTIONS:

Purpose: The Board of Pardons & Paroles and the Department of Corrections need an accurate version of the crime. Sometimes only the inmate's version is available.

Scope: Please limit the report to the facts. The last page of this form allows you to provide any recommendations and information relative to parole.

Disposition: Please deliver the original of this form to the district clerk for inclusion in the papers of the case. If the papers have already gone, the form should be delivered to Director, Bureau of Classification, Texas Department of Corrections, Box 99, Huntsville, Texas 77340.

Office: Hidalgo County Criminal District Attorney's Office

Elected Official: Rene Guerra

Bar Card Number: 08578200

Trial Attorney: OMAR J. GARZA

Bar Card Number: 07735200

(If different) _____ Name

Inmate: ALFREDO RIVERA HINOJOSA

_____ Name

_____ TDC # (if known)

Offense: MURDER

Cause # CR-105-87-C

Court: 139th District Court

Date of Sentence: ARPIL 22, 1987

1. Statement of offense(s) (including time, date, place, manner in which committed, mitigating or aggravating circumstances) You are encouraged to supplement this statement with copies of any confession, victim/witness statements or police offense report that might be available. (Attach additional sheets if necessary)

On November 8, 1985, after 11:00 p.m., defendant ALFREDO RIVERA HINOJOSA and victim JOSE DAVID SOTO BELLOSO, were playing pool at the '101 CLUB' in Mercedes, Hidalgo County, Texas. Both parties had been drinking beer. When they finished playing pool, they got into an argument over the pool table. Both parties left the bar at different times, and both wound up at JOVITA'S PLACE, another nearby bar. The argument continued there when witnesses observed the two men get into a scuffle. One witness attempted to subdue the defendant by holding him back, at which time the victim pushed a chair into the defendant, knocking him and the witness back. The defendant then drew a knife from his pocket and stabbed BELLOSO one time through the chest, piercing his heart and killing him almost instantly. The defendant fled the scene but was apprehended a short distance away in possession of a bloody knife. Blood samples from the knife matched those taken from the victim, and eyewitnesses identified defendant as the person who stabbed the victim.

2. Name of co-defendants, disposition of their cases. Please explain if dispositions differ from this defendant.

N/A

3. Value of property stolen, destroyed or damaged including name and address of injured party(ies). Indicate if stolen property was returned to owner without loss.

N/A

4. If physical injury, describe details of injury (including death), cost of medical treatment, including name and address of victim(s). If deceased, include name and address of next of kin if known.

Victim received one stab wound to the chest that penetrated the heart. Victim was declared dead at the scene. Victim was an alien, and no next of kin are available at this time.

5. Other cases filed against inmate that have been dismissed or are pending.

CR-61,285-C; Driving While Intoxicated--1/13/87 30 days Hidalgo County Jail, given credit for 59 days + Driver's License suspended for 90 days + \$300.00 fine.

CR-59,896-C; Criminal Mischief O/\$20.00 & U/\$200.00--pending

CR-361-84-C; Aggravated Assault--10/19/85 Pled Guilty to Lesser included offense of Assault, 30 days Hidalgo County Jail, given credit for 78 days + \$500.00 fine.

CR-1030-86-C; Resisting Arrest--4/21/87 Dismissed, convicted in CR-105-87-C.

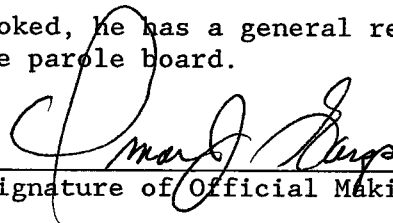
6. CAVEAT: This question is optional. While this report is not shown to the inmate by authorities, and state law provides that it is "confidential and privileged" information and therefore not disclosable to the inmate, it cannot be guaranteed that in no case will the inmate learn of its contents.

Please give any additional information which may be useful to the parole board in evaluating parole for this individual. Please include any statements of the victim(s) or other aggrieved citizens if applicable.

/ / I recommend parole.
/ ☒ I do not recommend parole.
/ / I have no recommendation.

Comments:

Although defendant was arguably provoked, he has a general reputation for being violent. This should be considered by the parole board.



Signature of Official Making Report

Asst. Criminal District Attorney
Title

APRIL 28, 1987
Date

Murder

CAUSE NO. CR-105-87-C

()

COUNTY COURT AT LAW _____

THE STATE OF TEXAS

VS.

()

139⁴⁸ DISTRICT COURT OF

()

HIDALGO COUNTY, TEXAS

Alfredo Rivera
Hinojosa

ORDER OF COMMITMENT

TO THE SHERIFF OF HIDALGO COUNTY, TEXAS: GREETING

By Order of the Court on the 21st day of April, A.D. 1987, the following action is directed in the above styled and numbered cause:

- ☐ Defendant's bond set at \$ _____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant's bond raised to \$ _____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant's bond reduced to \$ _____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant's bond to remain at \$ _____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant is remanded to the Sheriff without bond pending _____
- ☒ Defendant sentenced to 20 years in the Texas Department of Corrections. Defendant remanded to the Sheriff for transfer to the _____

FILED
9 48 O'CLOCK 9 M.
MAY 13 1987
DAULINE C. GONZALEZ, CLERK
District Courts, Hidalgo County, Texas
[Signature]

THE STATE OF TEXAS

TO THE SHERIFF OR ANY CONSTABLE OF HIDALGO COUNTY, SAID STATE GREETINGS:

YOU ARE HEREBY COMMANDED TO SUMMON:

IRMA CASTILLO ESPINOZA
 AMADO MAURICIO TREVINO
 GUADALUPE GARCES
 ROBERT YRIARTE
 ESTELLA DELGADO
 MARIA DELGADO
 J.P. A. GUTIERREZ
 ROBERT GUTIERREZ, JR.
 RICARDO VALDEZ, SR.
 SGT. JESUS VASQUEZ
 ALEJANDRO MORENO
 LUIS CHACON
 NARCISCO VARGAS

321 N. Missouri St., Mercedes, TX
 733 S. Ohio St., Mercedes, TX
 134 N. Matamoros, Mercedes, TX
 123 Taylor Dr., Mercedes, TX
 338 N. Texas, Mercedes, TX
 "
 202 Southern St., Edcouch, TX
 Mercedes Police Department
 "
 "
 "
 "

565-5606

FILED
 AT 10:10 O'CLOCK a.m.
 262-2044

APR 22 1987

PAULINE G. GONZALEZ, Clerk
 District Courts, Hidalgo County
 By Deputy Deputy

PLEASE CONTACT HON. OMAR J. GARZA ASSISTANT CRIMINAL DISTRICT ATTORNEY
 OR HIS SECRETARY, ANNETTE ESCOBAR, AT 383-2751, EXT. 300, UPON RECEIPT
 OF THIS SUBPOENA.

the honorable 139TH District Court of Hidalgo County, Texas, now in session
 at the Courthouse of said County in Edinburg, Texas, on the 9th day of March,
 1987 at 9:00 a.m., then and there to testify as witnesses in behalf of the
 State in a criminal action pending in said Court, entitled and numbered on
 the Criminal Docket of said Court, The State Of Texas Vs. Alfredo Rivera
 Hinojosa, No. Cr-105-87-C, and there to remain from day to day, and from term
 to term until discharged by due process of law.

Returnable March 9, 1987 at 9:00 a.m.

HEREIN FAIL NOT, and make due return, hereof, showing how you have
 executed the same.

Witness my official signature, at Edinburg, this, 17th day of February
 A. D. 1987.

PAULINE G. GONZALEZ
 DISTRICT COURT HIDALGO COUNTY

Amora Ramos DEPUTY
 Amora Ramos Deputy

THE STATE OF TEXAS
VS.
ALFREDO RIVERA HINOJOSA

IN THE 139TH DISTRICT
COURT OF
HIDALGO COUNTY, TEXAS

NO. CR-105-87-C
JUDGMENT ON PLEA OF GUILTY BEFORE COURT

Judge Presiding: RAUL L. LONGORIA

Date of Judgment: APRIL 21, 1987

Attorney(s): RENE GUERRA, DIST. ATTY. and
for State : OMAR J. GARZA

Attorney(s) :
for Defendant: JOSE ANTONIO GOMEZ

Offense : MURDER

Convicted of: MURDER

Degree : FIRST

Date Offense Committed: 11/9/86

Charging Instrument: INDICTMENT

Plea: GUILTY

Plea Bargain : YES

Terms (Details): TWENTY YEARS TDC

Plea to Enhancement
Paragraph(s) : N/A

Findings on
Enhancement: N/A

Findings on Use of
Deadly Weapon : N/A

Date Sentence Imposed: APRIL 21, 1987

Costs: N/A

Punishment and Place
of Confinement : TWENTY YRS. TDC

Date to
Commence: APRIL 21, 1987

Time Credited : 164 DAYS

Total Amount of Restitution/
Reparation: N/A

Concurrent Unless Otherwise Specified: CR-543-83-C

The Defendant having been indicted in the above entitled and numbered cause for the felony offense of MURDER and this cause being this day called for trial, the State appeared by RENE GUERRA, Criminal District Attorney, and Assistant Criminal District Attorney, HON. OMAR J. GARZA, and the Defendant, ALFREDO RIVERA HINOJOSA, appeared in person and by Counsel, HON. JOSE ANTONIO GOMEZ, and both parties announced ready for trial. The Defendant was arraigned, then in person, in writing, and in open court, waived the right of trial by jury with the consent and approval of the District Attorney and the Court. The Defendant pled GUILTY to the charge contained in the indictment. Thereupon the Defendant was admonished by the Court of the consequences of said plea, including the range of punishment, and that no punishment recommendation by the prosecuting attorney is binding on the Court, and that if the punishment assessed does not exceed the punishment recommended by the State and agreed to by the Defendant and by Counsel, the Defendant may not prosecute an appeal without the permission of the Court except for any pre-trial matters raised by written motion. The Defendant persisted in entering the plea and it appearing to the Court that the Defendant was mentally competent and that the plea was free and voluntary, accepted the plea. The Defendant, having in open court and in writing, waived the appearance, confrontation, and cross examination of witnesses, consented to the stipulation of evidence and to the introduction of testimony by affidavits, written statements of witnesses, and other documentary

evidence; such waiver and consent, having been approved by the Court in writing, were filed in the papers of the cause. The plea of the Defendant was received and entered of record upon the minutes. The Court, having heard the indictment read, the Defendant's plea thereto, the evidence submitted, and the argument of counsel thereon, found the Defendant guilty of the offense of MURDER, committed on NOVEMBER 9, 1986.

The Court, after hearing evidence on punishment and the Defendant having waived a pre-sentence investigation, inquired into the existence of any plea bargaining. Thereupon the Court, accepting the agreement of the parties, assessed the punishment at confinement in the Texas Department of Corrections for TWENTY (20) years.

IT IS THEREFORE CONSIDERED, ORDERED, AND ADJUDGED by the Court that the Defendant is guilty of the offense of MURDER, a FIRST degree felony, and that the Defendant be punished by confinement in the Texas Department of Corrections for TWENTY (20) years, and that the State of Texas do have and recover of the Defendant all costs of prosecution, for which execution will issue.

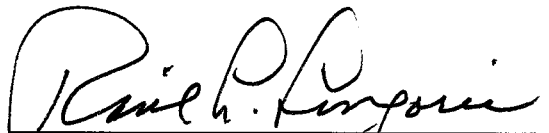
The Court then proceeded to pronounce the sentence of law according to the judgment rendered and the Defendant was asked by the Court whether the Defendant had anything to say why sentence should not be pronounced, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of said Defendant, to pronounce the sentence as follows, to-wit: "It is the order of the Court that the Defendant ALFREDO RIVERA HINOJOSA, who has been adjudged to be guilty of the offense of MURDER, and whose punishment has been assessed at confinement in the Texas Department of Corrections for TWENTY (20) years, be delivered by the Sheriff of Hidalgo County, Texas immediately to the Director of the Texas Department of Corrections or other person legally authorized to receive such convicts, and the Defendant shall be confined in said penitentiary for a term of not less than FIVE (5) years nor more than TWENTY (20) years in accordance with the provisions of the law governing the Texas Department of Corrections."

The sentence assessed against Defendant in this cause is to run concurrent with the sentence assessed against said Defendant in Cause Number CR-543-83-C styled the State of Texas vs. Alfredo Hinojosa aka Freddy Rivera, on the docket of the 139th District Court of Hidalgo County, Texas for the offense of Aggravated Assault with a Deadly Weapon.

The Defendant is given jail credit for 164 days and is remanded to jail in the custody of the Sheriff to await further orders of this Court.

SIGNED on this the 21ST day of APRIL, 1987.

Notice of Appeal: _____


JUDGE RAUL L. LONGORIA, PRESIDING
139TH DISTRICT COURT
HIDALGO COUNTY, TEXAS

DATE 2-14-08
A true copy I certify
LAURA HINOJOSA
District Clerk, Hidalgo County, Texas
By [Signature] Deputy

16/ 582

ORDER OF COMMITMENT

TO THE SHERIFF OF HIDALGO COUNTY, TEXAS: GREETING

By Order of the Court on the 21st day of April, A.D. 1987, the following action is directed in the above styled and numbered cause:

- ☐ Defendant's bond set at \$_____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant's bond raised to \$_____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant's bond reduced to \$_____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant's bond to remain at \$_____ pending _____
Defendant is remanded to the Sheriff.
- ☐ Defendant is remanded to the Sheriff without bond pending _____
- ☒ Defendant sentenced to 20 years in the Texas Department of Corrections. Defendant remanded to the Sheriff for transfer to the Texas Department of Corrections.
- ☐ Defendant committed to jail for _____ days as a condition of his probation without good time or credit. Defendant is remanded to the Sheriff.
- ☐ Defendant sentenced to _____ (Days, Months, Years) in the Hidalgo County Jail with _____ days credit. Defendant is remanded to the Sheriff.
- ☒ Credit for 164 days spent in jail.

You are hereby ordered to take and keep in your custody the above named defendant and to follow the directions of the Court. The defendant is to be released either upon serving his time in jail as directed by the Court or upon execution of a good and sufficient bond, except that bonds pending appeal must be approved by the Court.

SIGNED this 21st day of April, A.D. 1987 at 2:34 o'clock P.M.

DATE 2-14-08
A true copy I certify
LAURA HINOJOSA
District Clerk, Hidalgo County, Texas
Deputy

JUDGE PRESIDING

DISTRIBUTION:

Original & Copy to Sheriff

(Original to be returned to Clerk after Return is Made)

Copy to Case

By [Signature] Deputy

VICTIM Jose David Belloso PHONE NO. ()

INTOXILYZER % VIDEO TAKEN YES NO FILM NO.

DEFENDANT ADDRESS 1245 S. Georgia

CITY Mercedes STATE Texas ZIP CODE 78570

S.S. # 459 - 06 - 5365 U.S. CITIZEN YES X NO D.L. #

OTHER OFFENSE(S) INCLUDING TRAFFIC VIOLATIONS STEMMING FROM THIS INCIDENT

Driving While Intoxicated

CASE NO. 86-11-565

CASE NO.

CASE NO.

861907

COMPLAINT NO. 69-1241 DATE/PLACE FILED 11-09-86/Mercedes, TX

PHOTOGRAPHS yes.

EVIDENCE RECOVERED 1 silver butterfly knife, blue t-shirt, gray t-shirt, blood samples.

DISPOSITION OF EVIDENCE McAllen D.P.S. Lab

CO-DEFENDANTS (INCLUDING JUVENILES) ARRESTED: (HOME & BUSINESS PHONE NO.)

NAME & ADDRESS DATE ARRESTED

RECEIVED

NOV 25 1986

Office of District Attorney

NAMES & ADDRESSES OF STATE'S WITNESSES (HOME & BUSINESS PHONE)

Ima Castillo 321 N. Missouri St. Mercedes, TX () n/a

Amado Trevino 733 S. Ohio St. Mercedes, TX (512) 565-5606

Robert Yriarte 123 Taylor Dr. Mercedes, TX () n/a

Dr. Santos McAllen Regional Hospital ()

Justice of the Peace A. Gutierrez 202 Southern St. Edcouch, TX 512) 262-2044

Det. Luis Chacon c/o Mercedes Police Dept. (512) 565-3102

Det. Alejandro Moreno " " "

CASE OFFICER Officer R. Valdez

INVESTIGATION OFFICER(S) Inspector N. Vargas Jr.

SUMMARY OF CASE ON REVERSE SIDE

My name is Irma Castillo Espinoza. I am 26 years old. My date of birth is October 24, 1960. I reside at 321 N. Missouri St., Mercedes, Texas.

On Saturday, November 8, 1986 at about 11:50 p/m I went to the 101 Club in Mercedes, Tx. As I entered I saw that Freddy Rivera and Joe Garcia were playing pool. I went to where Joe Garcia was. When they finished playing the table, they got into an argument over the pool table. I went to Joe and I asked him to go with me. At this time Freddy Rivera left to the restroom. Joe, myself and a friend of Joe's went outside the 101 Club and we went to Jovita's. We entered Jovita's Place and went to the bar. I asked for two beers and paid for them. Joe told me to wait at the bar that he was going to look outside to see if his friend was coming. Joe went to the door and looked outside. I turned and took a drink of my beer. When I looked back to where Joe was I saw that Freddy Rivera was also standing at the door. They got into an argument again. At this time Amado Trevino, who was sitting next to the front door, got up and tried to hold Freddy. Joe got a chair and pushed Freddy back with it. As he pushed Freddy, Amado fell to the floor. At this time Freddy took out a knife from his right back pant pocket. Freddy raised the knife up with his right hand and stabbed Joe once in the left side of the chest. Freddy raised the knife again but Amado got him from the back. Joe got the chair again, but I took it away. When I took the chair Joe fell on his back. At this time Freddy went to his pick-up truck and left. I told them to call an ambulance because Joe was bleeding badly. They told me that they had already called them. I stood on the front door and saw a police car coming. I pointed towards Freddy's pick-up and the police officer went and stopped him at Cerralbos Bar.

Later I found out that his name was Jose David Soto Gellozo.

This statement is true and correct to the best of my knowledge.

Irma C. Espinoza

SWORN TO AND SUBSCRIBED BEFORE ME on this the 9th day of
November 19 86 A.D.

Narciso Sanguino
NOTARY PUBLIC IN AND FOR
HIDALGO COUNTY, TEXAS

MY COMMISSION EXPIRES October 3 19 87 A.D.

My name is Amado Mauricio Trevino. I am 48 years old. My date of birth is September 13, 1938. I reside at 733 S. Ohio St., Mercedes, Texas. My telephone number is 565-5606.

On Saturday, November 8, 1986 at about 11:50 p/m I arrived at Jovita's Place in Mercedes, Texas. As I entered Jovita's I went to the bar and ordered a beer. I then took the beer and went and sat on the table next to the door. I finished my beer and ordered another. A while later one Latin male entered Jovita's. I cannot recall what he was wearing or what he looked like. He stood at the entrance to the door. A few seconds later another Latin male entered Jovita's. He went towards the pool table. Both of these males were arguing about something but I do not know of what. They then got into a scuffle and I got up and got a hold of the man that had entered Jovita's first. At that time the second man got a chair and hit the man I was holding in the stomach. As he hit him I was pushed back and I fell to the floor. By the time I got up the man that I was holding had left and the other man was lying on the floor face up next to the pool table. He had blood all over his chest. Later someone called the police and then the police arrived and took over.

This statement is true and correct to the best of my knowledge.

Amado Trevino

SWORN TO AND SUBSCRIBED BEFORE ME on this the 9th day of
November 19 86 A.D.

Ramiro Vargas Jr.
NOTARY PUBLIC IN AND FOR
HIDALGO COUNTY, TEXAS

MY COMMISSION EXPIRES October 3 1987 A.D.

My name is Roberto Yriarte. I am 35 years old. My date of birth is August 24, 1961. I reside at 123 Taylor Dr., Mercedes, Tx.

On Sunday, November 09, 1986 at about 12:10 a/m I was drinking a beer with Rosario Sandoval and Guadalupe unknown last name. We were all at the bar at Jovita's Place in Mercedes, Tx. I heard some noises coming from the front door, as a disturbance, as I turned I saw Irma (La Mafia) rushing towards the door. She took a chair from someone, but I do not know from who. I did not get up from my stool so I did not see what else happened. Later I saw a man on the floor laying face up next to the pool table. Somebody then called the police department.

This is true and correct to the best of my knowledge.

Robert Yriarte

SWORN TO AND SUBSCRIBED BEFORE ME on this the 9th day of

November 19 86 A.D.

Narciso Sandoval

NOTARY PUBLIC IN AND FOR
HIDALGO COUNTY, TEXAS

MY COMMISSION EXPIRES October 3 19 87 A.D.

ADDRESS _____		2000	
TELEPHONE NUMBER _____		TOTAL _____	
Consciousness: 1-Con 2-Semi <u>3-Un</u>		Bleeding: 1-Nor 2-Min 3-Max <u>4-Sev</u>	
Pupils: 1-Eq 2-Uneq 3-Con L <u>4-Dilated</u> 5-Non-Reactive		Breathing: 1-Nor 2-Rapid/Shallow 3-Lab <u>4-Abs</u>	
Patient Complaints: <u>NONE</u>			
Injury/Illness Description: <u>Stab wound to LEFT Side of STERNUM</u>			
INJURY		ILLNESS	
Probable Cause: 1 - Auto 2 - Motorcycle 3 - Bicycle 4 - Pedestrian 5 - Industrial 6 - Alcohol 7 - Drug Overdose/Poison 8 - Recreational 9 - Violence/Assault 10 - Gunshot 11 - <u>Struck</u> 12 - Fall 13 - Other	Type of Injury: 1 - Burn 2 - Fracture/Dysfracture 3 - Laceration <u>Penetration</u> 4 - Internal 5 - Drowning/Strangulation/Choking 6 - Drug Overdose/Poison 7 - Acute Alcohol Intox 8 - Spinal/Brain 9 - Snake/Bite/Cat 10 - Spinal Strain 11 - Muscle Spasms (above & below Diaphragm not serious) 12 - Other	Location: 1 - Abdomen 2 - Arm 3 - Back 4 - Chest 5 - Face 6 - Foot 7 - Head 8 - Leg 9 - Neck 10 - Pelvis/Hip 11 - Shoulder	Suspected Illness/Symptoms: 1 - Heart Complication 2 - Stroke/CVA (Cerebro - Vascular) 3 - Infection (Viral) 4 - Contusion/Scrub 5 - Fainting 6 - Diabetic Complication 7 - High Risk Event (Over Exertion) 8 - Obscure Illness (not listed) 9 - Exacerbation of Disease 10 - Endocrine/Metabolic Disturbance 11 - Cancer - Life threatening 12 - Allergic Reaction 13 - Other
AID PROVIDED BY: AMBULANCE CREW		Preventive Aid: <u>Yes</u> First Aid: <u>Yes</u> First Aid: <u>Yes</u> First Aid: <u>Yes</u> First Aid: <u>Yes</u>	
Basic Care: 1 - Bandaging 2 - Splinting 3 - Traction 4 - Psych Assistance 5 - Minor Bleeding Controlled 6 - Transport Only 7 - Other		Basic Life Support: 8 - Suction 15 - Airway Maintenance 9 - Oxygen 16 - Assisted Breathing 10 - CPR 17 - Shock Management 11 - Burn Cooled/Dressed 12 - Neck/Spine Immobilized 13 - Emergency Childbirth 14 - Major Bleeding Controlled	
Advanced Life Support: 18 - Intubation* 19 - EKG/telemetry* 20 - Defibrillation* 21 - IV Therapy* 22 - Medication Administration		Driver: <u>F. Lina</u> <u>460-33-0335</u> Training Level: <u>3/0</u>	
Attendant: <u>O. Garza</u> <u>398-62-4007</u> Training Level: <u>2/0</u>		Attendant: <u>P. Hoffman</u> <u>455-68-9635</u> Training Level: <u>0/0</u>	
Please code Training Levels for ALL personnel making the run. Codes are: R=1, 0=0, ECA=2/0, EMT=3/0, TKA=4, IAN=0/0, RN=0/0, EMT=0/0			

REMARKS

REMARKS
ON 11-9-86 AT 00:26 AN EMS CALL WAS DISPATCHED TO JOVITAS PLACE AT 217 N. ILLINOIS IN MERCED FOR A STABBING. 5/6 RESPONDED W/3 MEN, F. LUNA, O. GARZA, + P. HUFFMAN - WE ARRIVED IN APPROX 5 MIN BUT DISPATCH FAILED TO LOG TIME. WE FOUND A MALE SUBJECT W/ A LARGE STAB WOUND TO THE LEFT OF THE STERNUM W/ A DOWNWARD SLANT. WOUND WAS APPROX. THE 5TH OR 6TH INTERCOSTAL SPACE. THERE WAS A LARGE AMOUNT OF BLOOD ON FLOOR + VICTIM. THERE WERE NO VITAL SIGNS, PUPILS WERE DILATED + NON REACTIVE - PT. WAS CYANOTIC. WE ADVISED M.P.D. TO CALL A J.P. WE WAITED FOR THE J.P. TO ARRIVE BUT HE DIDN'T SO WE RETURNED TO STATION 1. M.P.D. ADVISED THEY WOULD RELAY INFORMATION. WE LEFT MERCED AT 01:00 AND ARRIVED AT STATION 1 AT 01:08

NOTE: This information that has been
whited out - was to be made on a Supplemental
Report, Please see Attachment A. Signed
REPORT MADE BY: *[Signature]*

Case 3:06-cv-02248-O -BH Document 26-8 Filed 05/05/08 Page 16 of 40 PageID 566
at the Court House of said County in Edinburg, Texas, on the 17th day of February, 1987, at 9:00 a.m., and there to testify as witness in behalf of the State in a criminal action pending in said Court, entitled and numbered on the Criminal Docket of said Court, The State Of Texas Vs. Alfredo Rivera Hinojosa, No. Cr-105-87-C, and there to remain from day to day, and from term to term until discharged by due process of law.

Returnable March 9, 1987 at 9:00 a.m.

HEREIN FAIL NOT, and make due return, hereof, showing how you have executed the same.

Witness my official signature, at Edinburg, this, 17th day of February A. D. 1987.

PAULINE G. GONZALEZ
DISTRICT COURT HIDALGO COUNTY

By Audra Ramos DEPUTY
Audra Ramos, Deputy

SHERIFF'S RETURN

Came to hand on ... day of 1986 at o'clock ...M., and executed by reading this Subpoena in the presence and hearing of each of the within named witness at the following times and places, to wit:

NAME	DATE	TIME	PLACE
Mr. R. L. Santos M.W.	2-19-87	11:28 a.m.	Mission Hospital

and not executed as to the witnesses _____
for the following reasons: _____

I actually and necessarily traveled _____ miles in the service of this Subpoena, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.

FEES: Summoning _____ Witness \$ _____
Mileage \$1.00 _____
TOTAL \$5.40 _____ By Riz Margolis Sheriff,
Hidalgo County, Texas
Are Brundage Deputy

6.40

at the Courthouse of said County in Edinburg, Texas on the 5th day of March, 1987 at 9:00 a.m., then and there to testify as witness in behalf of the State in a criminal action pending in said Court, entitled and numbered on the Criminal Docket of said Court, The State Of Texas Vs. Alfredo Rivera Hinojosa, No. Cr-105-87-C, and there to remain from day to day, and from term to term until discharged by due process of law.

Returnable March 9, 1987 at 9:00 a.m.

HEREIN FAIL NOT, and make due return, hereof, showing how you have executed the same.

Witness my official signature, at Edinburg, this, 17th day of February A. D. 1987.

PAULINE G. GONZALEZ
DISTRICT COURT HIDALGO COUNTY

Aurora Ramos
By Aurora Ramos, Deputy

SHERIFF'S RETURN

Came to hand on 17 day of Feb., 1987 at 1:20 o'clock P.M., and executed by reading this Subpoena in the presence and hearing of each of the within named witness at the following times and places, to wit:

NAME	DATE	TIME	PLACE
<i>Joe Marmolejo</i>	<i>2-18-87</i>	<i>1:45 P</i>	<i>Heal</i>

and not executed as to the witnesses for the following reasons:

I actually and necessarily traveled _____ miles in the service of this Subpoena, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.

FEES: Summoning _____ Witness \$ _____
Mileage \$ 1.00
TOTAL \$ 3.60 By *[Signature]* Sheriff, Hidalgo County, Texas
County, Texas
Deputy

4.60

WITNESSES IN COUNTY

Name	Address	Telephone
Irma Castillo Espinoza	321 N. Missouri St., Mercedes, Tx	
Amado Mauricio Trevino	733 S. Ohio St., Mercedes, Tx	565-5606
Guadalupe Garces	134 N. Matamoros, Mercedes, Tx	
Robert Yriarte	123 Taylor Dr., Mercedes, Tx	
Estella Delgado	338 N. Texas, Mercedes, Tx	
Maria Delgado	" " "	
J.P. A. Gutierrez	202 Southern St., Edcouch, Tx	262-2044
Robert Gutierrez, Jr.	Mercedes Police Department	
Ricardo Valdez, Sr.	" " "	
Sgt. Jesus Vasquez	" " "	
Alejandro Moreno	" " "	
Luis Chacon	" " "	
Narciso Vargas	" " "	
Joe Marchan, Chemist	DPS, McAllen, Tx	682-5556
(Please bring with you the evidence submitted to you on 11/12/86 in regards to lab no. L3M-15003		
R.C. Santos, M.D.	Mission Hospital	
(Please bring with you copies of your report on deceased: Jose David Soto Belloso, Autopsy #: A-86-112).		

PLEASE CONTACT OMAR J. GARZA, ASSISTANT CRIMINAL DISTRICT ATTORNEY, OR HIS SECRETARY, ANNETTE ESCOBAR, AT 383-2751, EXT. 300, UPON RECEIPT OF THIS SUBPOENA.

WITNESSES OUT OF COUNTY

Name	Address	Telephone
------	---------	-----------

325 P

M.K.

PAULINE G. GONZALEZ
DISTRICT CLERK, HIDALGO COUNTY

BY *Margu Kalkbrenner*

Said person(s) is (are) witness(es) in behalf of the State in the above entitled and numbered felony case, and it is believed by the State that the testimony of said witness(es) is material for the State on the trial of said case.

Applicant prays that the said subpoena(s) be made returnable on the 9th day of March A.D. 19 87 at 9:00 A.M.

Omar J. Garza
OMAR J. GARZA ASSISTANT

To the Sheriff of Hidalgo County, said State, Greeting:

YOU ARE HEREBY COMMANDED to forthwith deliver to Alfredo Rivera Hinojosa

a prisoner in your custody, the accompanying certified Copy of Indictment.

Herein Fail Not, and due return make hereof, without delay.

Issued this the 30th day of January A.D., 19 87.

Witness my signature and seal of office, on this, the 30th day of January

A.D. 19 87.

District Court, Hidalgo County, Texas

By

Aurora Ramos

Deputy

Aurora Ramos

SHERIFF'S RETURN

Came to hand on the 30 day of January A.D. 19 87 at 5:00 o'clock
P. M., and executed on the ~~same~~ day, by delivering to the within named Alfredo Rivera
Hinojosa a prisoner in my custody, in person, a certified copy of indictment mentioned within, and
delivered to me with this writ.

Returned on the 2nd day of February A.D. 19 87

BRIG MARMOLEJO, Sheriff

Hidalgo County, Texas

By

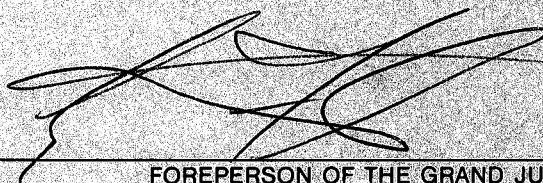
AS Gaurwa

Deputy.

fev #12-87

there intentionally and knowingly cause the death of an individual, JOSE DAVID SOTO
BELLOSO, by stabbing the said victim with a knife;

AGAINST THE PEACE AND DIGNITY OF THE STATE.



FOREPERSON OF THE GRAND JURY

No. Cr-105-87-C By: br Case No. I-86-1907 Bond \$ 100,000.00 *D.H. Parker surety*
The State of Texas Vs. ALFREDO RIVERA HINOJOSA Date of Arrest 11/9/86
Charge MURDER Arresting Agency MERCEDES

ORIGINAL

FILED
4:52
CLOCK P M.

FEB -5 1987

CAUSE NO. CR-105-87-C

PAULINE G. GONZALEZ, CLERK
District Court, Santa Fe County
By Pauline G. Gonzalez Deputy


THE STATE OF TEXAS I IN THE 139TH DISTRICT COURT
VS. I OF
ALFREDO RIVERA HINOJOSA I HIDALGO COUNTY, TEXAS

STATE'S ANNOUNCEMENT OF READY FOR TRIAL

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes THE STATE OF TEXAS, by and through the Criminal District Attorney in and for Hidalgo County, Texas, and announces READY FOR TRIAL in the above captioned case.

SIGNED this 5th day of February, 19 87


OMAR J. GARZA
ASSISTANT CRIMINAL DISTRICT ATTORNEY
HIDALGO COUNTY, TEXAS

THE STATE OF TEXAS

IN THE 139TH DISTRICT COURT

V.

OF

FEB 06 1987

ALFREDO HINOJOSA

HIDALGO COUNTY

PAULINE G. GONZALEZ, CLERK
DISTRICT COURTS, HIDALGO COUNTY

MOTION FOR THE COURT TO ALLOW EXPERT WITNESS FEES

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the Defendant in the above entitled and numbered cause and respectfully moves the Court to provide for expenses of investigation and expert testimony pursuant to Article 26.05 Section 1 (d), C.C.P. and in support thereof would show the Court as follows:

I.

That the Defendant is charged with the felony offense of murder.

II.

That the Defendant is indigent and without funds to make her own case investigation.

III.

This Court has appointed Counsel to represent the Defendant in this cause because the Defendant is indigent and without funds to hire counsel.

IV.

That in order to properly prepare this case, defense counsel will be required to hire a criminal investigator to gather facts and interview witnesses that might have exculpatory information concerning the accused.

V.

That due to the serious nature of the offense, it is imperative that defense counsel have available a reasonable amount of money to secure the services of a criminal investigator

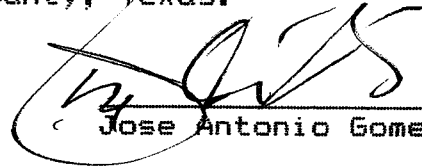
VI.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully prays that this Honorable Court will authorize reasonable sums of money to permit hiring of a criminal investigator and that the Court will authorize and order the County Auditor of Hidalgo County, Texas to pay the costs of such services.

Respectfully submitted,

Jose Antonio Gomez
106 S. 12th St. Suite 116
Edinburg, Texas 78539
(512) 380-1943
S.B.N. 08115300

CERTIFICATE OF SERVICE


Jose Antonio Gomez

ORDER

The foregoing Motion for the Court to Allow Expert Witness Fees having this day been presented to the Court and the Court being of the opinion that said motion should be granted;

It is therefore ORDERED by the Court that at the conclusion of the delivery of the expert services by the handwriting expert contracted by defense counsel and the tendering of a statement for services rendered, the services be paid, according to law, in a total sum not to exceed \$500.00.

SIGNED on this the day of February, 1987.

Judge Presiding

WESLACO FIRE DEPT. 7 EMS DIVISION
THIS IS A TRUE AND CERTIFIED
COPY OF THE ORIGINAL

Payable to:
In Person or Mail

WESLACO FIRE DEPT.

E.M.S. DIVISION

901 N. Airport Dr.

Weslaco, Texas 78596

968-7581

Date 11-9-86

Time 00:26

Report No. 824820

Incident No. 86-1203

PAYABLE IN PERSON OR BY MAIL
CITY HALL-CITY OF MERCEDES
P. O. BOX 837 OR AT 400 S. OHIO

Name of Patient JOSE David Coto ^{BELLASO} Bill to Elena Hernandez Bellaso
Address 512 1st Street Address PO Box 485
City, State, Zip Mercedes, TX City, State, Zip Ralls, TX 79357
Phone No. N/A Phone No. N/A
Describe injury or illness NO TRANSPORT - APPARENT D.O.S
stab wound to 4/5 chest

Basic Charge \$ _____

NO TRANSPORT
Refusal Charge \$ 20.00

Oxygen \$ _____

I. V. Therapy \$ _____

Bandaging \$ _____

Medications \$ _____

Splinting \$ _____

E. K. G. Monitoring \$ _____

Mileage @ _____ No. Miles _____

Defibrillation \$ _____

Charge _____

Other \$ _____

Total Charges \$ 20.00

Amount Paid \$ _____

Receipt No. _____

Remit within 30 days

Cash, Check or Master or VISA Cards

No 7970

Unable to get Signature

Signature of Patient
or Responsible Party

Form No. Delipe Luna
By Susie Vega
11-20-86
HWP 2253



Firm Name: W.F.D - E.M.S TDH Firm # - 10824 Veb/Unit # 516

Please use 6 digits

Please place a red checkmark on the appropriate Type of Run (e.g., 3-Transfer)

Please use 1, 2, or 3 only

Date: 11/90/86 Incident # 86-1203 Pick Up Location JOVITA'S PLACE - 217 N. Illinois
Dist./Sta. # 1011 City/State: MERCEDERS TEXAS Zip Code: 718151916 Location Type: 1-Rural 2-City
Ambulance Requested By: 1-Police 2-Fire 3-Rescue 4-Individual 5-Physician 6-Other 7-SNETS
Type of Run: 1-Emergency 2-Emerg. Transfer 3-Transfer 4-No Transport 5-False Alarm 6-Cancelled 7-Treatment, No Transport

PATIENT'S NAME (PRINT) <u>JOSE David Coto Belloso</u>		DOB <u>12/31/52</u>		BASE RATE	
ADDRESS <u>312 First Street</u>		STATE <u>TX</u>		TOTAL MILEAGE	
CITY <u>Mercader</u>		ZIP <u>718151916</u>		SPECIAL HANDLING	
TELEPHONE NUMBER		MEDICAID NO.		MEDICARE/SSAN	
PERSON TO BE NOTIFIED <u>Elena Hernandez Belloso</u>		RELATIONSHIP <u>Wife</u>		OXYGEN	
ADDRESS <u>P.O. Box 485 Ralls, TX 77357</u>		PATIENT'S PHYSICIAN		TOTAL DUE	
TELEPHONE NUMBER					

RECORD DETAILED PATIENT HISTORY AND PHYSICIAN INSTRUCTIONS ON THE BACK OF THIS PAGE. OBTAIN PATIENT'S PRESCRIPTION MEDICATIONS AND DELIVER TO ER WITH PATIENT.

Patient ALLERGIC to:

UNKNOWN

USE
24 HOUR
TIME

Incident Time	Call Received <u>00:26</u>	Amb. Dispatched <u>00:26</u>	Arrived Scene	Departed Scene	Arrived Dest.	Return to Svc. <u>01:00</u>
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Response Code: To 3 From 1 B.P. _____ Pulse -0- Resp. -0- Time _____
Miles: To _____ From _____ B.P. _____ Pulse _____ Resp. _____ Time _____

Consciousness: 1-Con 2-Semi 3-Unc Bleeding: 1-Non 2-Min 3-Mod 4-Sev Pain: 1-Non 2-Min 3-Mod 4-Sev

Pupils: 1-Eq 2-Uneq 3-Constr 4-Dilated 5-Non-Reactive Breathing: 1-Nor 2-Rapid/Shallow 3-Lab 4-Abs

Severity Assessment: 1-Non-Urg 2-Urg 3-Crit 4-Apparent DOS Medical Direction via 2-Way Radio: 1-Yes 2-No

Communications: To Dispatcher: 1-Good 2-Poor 3-None To Hospital: 1-Good 2-Poor 3-None

Patient Delivered To: NO TRANSPORT Hosp. Code: - 1-ER (Case No. 6-Digits) -
2-Hosp. Critical Care Unit 3-O.P.D. 4-Hosp. Bed 5-Nursing Home 6-Residence 7-Other Med. Fac. 8-Other

Patient Complaints: NONE

Injury/Illness Description: APPARENT D.O.S - stab wound to 4/5 chest (Over)

INJURY

Probable Cause	Type of Injury	Location
1 - Auto	1 - Burn	1 - Abdomen
2 - Motorcycle	2 - Fracture/Dislocation	2 - Arm
3 - Bicycle	<u>3 - Laceration/Penetration</u>	3 - Back
4 - Pedestrian	4 - Internal	<u>4 - Chest</u>
5 - Industrial	5 - Drowning/Suffocation/Choking	5 - Eye
6 - Alcohol	6 - Drug Overdose/Poison	6 - Face
7 - Drug Overdose/Poison	7 - Acute Alcohol Intox	7 - Foot
8 - Recreational	8 - Spine/Brain	8 - Hand
9 - Violence/Assault	9 - Scrape/Bruise/Cuts	9 - Head
10 - Gunshot	10 - Sprain/Strain	10 - Leg
<u>11 - Stabbing</u>	11 - Multiple (Specify above & indicate two most serious)	11 - Neck
12 - Fall	12 - Other	12 - Pelvis/Hip
13 - Other		13 - Shoulder

ILLNESS

Suspected Illness/Symptoms
1 - Heart Complication
2 - Stroke/CVA (Cerebro - Vascular)
3 - Infectious Disease
4 - Convulsions/Seizures
5 - Fainting
6 - Diabetic Complication
7 - High Risk Infant (Neo-Natal)
8 - Obstetrical/Gynecological
9 - Respiratory Distress
10 - Emotional/Mental Distress
11 - Gastro - Intestinal
12 - Allergic Reaction
13 - Other

AID PROVIDED

BY Preventive Aid? 1-Yes 2-No Type? 1-Seat Belt 2-Child Restraint 3-Motorcycle Helmet
Aid provided prior to arrival? 1-No 2-Yes, Police 3-Yes, Fire 4-Yes, Rescue 5-Yes, Other _____

AMBULANCE CREW

Basic Care

1 - Bandaging
2 - Splinting
3 - Traction
4 - Psych Assistance
5 - Minor Bleeding Controlled
6 - Transport Only
7 - Other NO TRANSPORT

Basic Life Support

8 - Suction 15 - Airway Maintenance
9 - Oxygen 16 - Assisted Breathing
10 - C.P.R. 17 - Shock Management
11 - Burn Cooled/Dressed
12 - Neck/Spine Immobilized
13 - Emergency Childbirth
14 - Major Bleeding Controlled

Advanced Life Support

18 - Intubation*
19 - EKG/Telemetry*
20 - Defibrillation*
21 - I.V. Therapy*
22 - Medication Administered*

Driver: FEIPE LUNA JR # 460-33-0335 Training Level 3/0

Attendant: Phil HUFFMAN # 455-62 9639 Training Level 0/0

Attendant: OSCAR GARZA # 398-62 4007 Training Level 2/0

Please code Training Levels for ALL personnel making the run. Codes are: RC 1/0

ECA 2/0 EMT 3/0 PARA 4/0
LVN 0/5 RN 0/6 EMT/SS 7/0

2X#7
4-24-87

TEXAS DEPARTMENT OF PUBLIC SAFETY



JAMES B. ADAMS
DIRECTOR

LABORATORIES

BOX 56

MCALLEN, TEXAS 78501

November 21, 1986

RECEIVED



LEO E. GOSSETT
ASST. DIRECTOR

Office of District Attorney

COPY FOR PROSECUTING AGENCY

TO: Inspector Narciso Vargas, Jr.
Mercedes Police Department
323 S. Ohio
Mercedes, Texas 78570

SUBJECT: L3M-15003; Murder; 11-09-86, Hidalgo County; Alfredo Rivera Hinojosa, suspect; Jose David Belloso, victim

DATE SUBMITTED: November 12, 1986

METHOD OF SUBMISSION: In person by Narciso Vargas, Jr.

EVIDENCE SUBMITTED: A t-shirt, jeans and blood from the victim; a t-shirt and a cotton swab with blood from the suspect; blood from the scene; a knife from the suspect's vehicle

REQUESTED ANALYSIS: Determine the presence, origin and type of blood.

RESULTS OF ANALYSIS: Blood from the victim was determined to be group O, EsD 2-1, PGM 1, EAP BA, AK 1. Blood on the victim's clothes was consistent with the victim's blood. Human blood containing enzymes EsD 2-1, PGM 1, EAP BA, AK 1 was found on the knife from the suspect's vehicle. Human blood from the crime scene was determined to be group O, AK 1. Human blood was found on the swab from the suspect and on the suspect's shirt; however, it did not respond to blood group tests.

Disposition of the evidence in this case should be made as soon as possible.

Joe H. Marchan
Chemist-Toxicologist II
Field Crime Laboratory

chem:ic

cc: Pros. Atty.
Austin Lab File
McAllen Lab File

taken from the Records of this office

This 13th day of January, 1987Registrar *Janie Gonzales*
City of Mercedes, Texas

County Clerk

Filed _____, 19____

STATE OF TEXAS				CERTIFICATE OF DEATH				STATE FILE NO			
1 NAME OF DECEASED (Type or print)		1a First		1b Middle		1c Last		2 DATE OF DEATH		3 DATE OF BIRTH	
4 RACE		5a WAS THE DECEDENT OF SPANISH ORIGIN?		5b IF YES SPECIFY MEXICAN, CUBAN, PUERTO RICAN, ETC.		6 DATE OF BIRTH		7 AGE (in years)		8 UNDER 24 HRS	
9a PLACE OF DEATH - COUNTY		9b CITY OR TOWN (If outside city limits give precinct no.)		10 BIRTH PLACE (State or foreign country)		11 COUNTRY OF BIRTH		12 DATE OF DEATH		13 UNDER 24 HRS	
14 SOCIAL SECURITY NO		15a USUAL OCCUPATION (Give kind of work done during most of working life even if retired)		16 COUNTRY OF BIRTH		17 COUNTRY OF BIRTH		18 MONTHS MAILED NAME		19 SIGNATURE OF INFORMANT	
15b RESIDENCE - STATE		16b COUNTY		17b CITY OR TOWN (If outside city limits, show rural)		18 MONTHS MAILED NAME		19 SIGNATURE OF INFORMANT		20 SIGNATURE OF INFORMANT	
16b COUNTY		17b CITY OR TOWN (If outside city limits, show rural)		18 MONTHS MAILED NAME		19 SIGNATURE OF INFORMANT		20 SIGNATURE OF INFORMANT		21 AUTOPSY?	
17b CITY OR TOWN (If outside city limits, show rural)		18 MONTHS MAILED NAME		19 SIGNATURE OF INFORMANT		20 SIGNATURE OF INFORMANT		21 AUTOPSY?		22 AUTOPSY?	
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95 AUTOPSY?		96 AUTOPSY?		97 AUTOPSY?		98 AUTOPSY?		99 AUTOPSY?		100 AUTOPSY?	

IF DECEASED SERVED IN U.S. ARMED FORCES, FILL OUT THE FOLLOWING:

Is the deceased reported to have been in such service?

Name of organization in which service was rendered?

Serial number of discharge papers or adjusted service certificate?

Name of next of kin or next friend?

Post Office Address?

IF DECEASED WAS MARRIED, FILL OUT THE FOLLOWING:

Name of husband or wife

Age in years

IF DECEASED IS AN UNIDENTIFIED PERSON, FILL OUT THE FOLLOWING:

Color of Hair?

Color of Eyes?

Height?

Weight?

Deformities?

Tattoo Marks?

In.

FL

Weight?

Other marks of identification?

5848
4-28-87



Ruben C. Santos, M.D.
Forensic Pathologist
P.O. Box 1746
McAllen, Texas 78502
(512) 632-4252

RECEIVED
DEC 05 1986

Office of District Attorney

TYPE: Medicolegal
NAME: Belloso, Jose David Soto
AGE: 25-26
DIED: 11-9-86 at 12:20 A.M. pronounced
dead by J.P. Gutierrez at 1:05 A.M.
PLACE: Jovita's Place, 215 N. Illinois,
Mercedes, Texas
WITNESSES: Alejandro Moreno, Mercedes P.D.
Luis Chacon, Mercedes P.D.
ASSISTANT: Raul Elizondo, Ceballos F.H.

AUTOPSY #: A-86-112 Complete
PERFORMED BY: R.C. Santos, M.D.
PLACE: Ceballos Funeral Home
McAllen, Texas
DATE: 11-9-86 at 11:45 A.M.
AUTHORIZED BY: A. Gutierrez, Jr.
TITLE: Justice of the Peace
Hidalgo County, Texas
Precinct 5, Place 1

CAUSE OF DEATH:

1. Stabwound to the left side of the chest with perforating wound to the heart, right ventricular wall, anterior and posterior.
2. Cardiac tamponade.
3. Penetrating wound to midsection of liver.

SAMPLES SAVED:

Blood, urine and bile samples are given to Officers Alejandro Moreno and Luis Chacon of Mercedes Police Department at completion of the autopsy.


R.C. SANTOS, M.D.

RCS/gh

A-86-112 Bellosso, Jose D. Soto

2

CIRCUMSTANCES

According to Officers from Mercedes Police Department, Alejandro Moreno and Luis Chacon, this 26 year old Caucasian male was involved in an altercation at Jovita's Place located at 215 N. Illinois in Mercedes, Texas at about 12:20 a.m. 11-9-86 where he received a stabwound to the left side of the chest. He was pronounced dead at the scene by Justice of the Peace Apolonio Gutierrez about 1:05 a.m., November 9, 1986. The body was transferred to Ceballos Funeral Home in McAllen, Texas for an autopsy.

EXTERNAL EXAMINATION

The body is that of a well developed, well nourished, 26 year old Caucasian male measuring 64 inches in length and estimated to weigh 140 pounds. Postmortem rigidity is complete, body heat is absent and lividity is dorsally located. The clothes consist of a light blue short sleeved t-shirt with a Texas map emblem on the front and the words "I Celebrated KTLK 1460, 1st Anniversay in Lubbock, Texas at the Municipal Coliseum November 23, 1985, The Showdown of Texas with La Mafia and Mazz". In addition there is blood on the front and back with a perforation measuring 1 inch in maximum dimensions located 3/4 inch below the collar. There are no other perforations. There are also blue jeans with blood on the front involving the left leg, brown cowboy boots, blue Jockey-type shorts and black socks. The sole of the boots show blood stains. The hair is dark, abundant, mixed with a scanty amount of gray, normally distributed and measures 3 1/2 inches in length. The eyes are brown. The pupils are central, circular and symmetrical. The sclera and conjunctivae are dehydrated, otherwise unremarkable. The nose and ears are unremarkable. There is a moustache and beard. The oral cavity contains teeth in fair state of repair with a golden frame on the lateral upper left incisor. The oral cavity shows no injuries. The neck, thorax and abdomen show no other changes except for the already described wound. The external genitalia are those of an uncircumcised adult male. The testes are intrascrotal. The extremities are symmetrical. The dorsal aspect of the body is unremarkable. There is a golden colored ring on the left ring finger. The dorsal aspect of the body is unremarkable. The body is identified by officers present during the autopsy.

EVIDENCE OF INJURY

There is a stabwound located on the left side of the chest at 50 inches above the left heel and 1 1/2 inches to the left of the midline. The wound measures 1 1/2 inches in length and gapes open 1/2 inch in maximum dimensions. The margins are sharp. There is a dull medial corner and a sharp outer corner. The surface of the skin on the upper margin shows abrasions probably caused by the hilt of the knife. Abrasions measure up to 3/4 inch x 1/4 inch in maximum dimensions. The wound is obliquely oriented. There are no other wounds.

INTERNAL EXAMINATION

HEAD

The head is opened after reflection of the scalp over the skull. There is no injury. Removal of the calvarium shows a normal appearing brain weighing 1450 grams. The convolutions and sulci are normal. The arteries of the Circle of Willis are intact. On section there is normal cortex, centrum semiovale, ventricular system, basal ganglia, pons, medulla oblongata and cerebellum.

A-86-112 Belloso, Jose D. Soto

3

PITUITARY GLAND

This is normal.

BASE OF THE SKULL AND CERVICAL SPINE

These are normal.

PRIMARY INCISION

The Y-shaped incision is made and the sternum removed. The abdominal wall measures up to 4 cm in thickness.

BODY CAVITIES

The pleural and peritoneal cavities are free of unusual amount of fluid. The pericardial sac is filled with liquid and clotted blood estimated to be about 500 cc.

RECONSTRUCTION OF STABWOUND TRACT

The wound extends from the left side of the chest 50 inches above the left heel through the chest wall cutting through the third rib cartilaginous segment and extending into pericardial sac and right ventricle of heart involving anterior and posterior wall. The wound extends to 4 1/2 inches from the skin to the deepest part. This is directed anteroposteriorly with a downward slant and medial deviation. The wounds also extend through the left diaphragmatic leaflet into the surface of the liver. There are no other wounds.

ORGANS OF THE THROAT

The airways are clear.

THYROID AND PARATHYROID

These are unremarkable. The hyoid bone and thyroid cartilage are intact.

PULMONARY ARTERY AND AORTA

These are normal.

HEART

This weighs 400 grams and shows a normal epicardium, myocardium and endocardium. There is a penetrating wound involving the right anterior ventricular wall measuring 1 inch in surface length. There is a smaller wound in the posterior wall measuring 1/2 inch in surface length. The valves are normal. The coronary arteries are patent.

LUNGS

The right lung weighs 400 grams, the left 350 grams. On section they show slight congestion, otherwise are unremarkable.

DIAPHRAGM

This shows no significant changes except for a small perforation of the midsection, slightly to the left side caused by the instrument.

LIVER

This weighs 1500 grams, shows normal color and consistency. There is a small penetrating wound on the midsection of the dome measuring 1/2 x 1/2 inch in maximum dimensions.

A-86-112 Belloso, Jose D. Soto

4

GALLBLADDER AND DUCTS

These are normal.

SPLEEN

This weighs 120 grams and is unremarkable.

PANCREAS

This weighs 120 grams and appears normal.

GASTROINTESTINAL TRACT

The esophagus is normal. The stomach contains partially digested food with no peculiar odor or appearance. The stomach mucosa, small and large bowel and appendix are unremarkable.

ADRENAL GLANDS

These are normal.

KIDNEYS

Each kidney weighs 140 grams. On section they both show normal corticomedullary ratio.

PELVES, URETERS AND URINARY BLADDER

These are normal.

PROSTATE

This is essentially normal.

TESTICLES

These are intrascrotal and normal.

LYMPH NODES

No enlarged lymph nodes are found during the course of the autopsy.

SAMPLES SAVED

Blood, urine and bile samples are saved given to Officers Alejandro Moreno and Luis Chacon from Mercedes Police Department at completion of the autopsy.

MICROSCOPIC

Microsections of brain, pituitary gland, heart, thyroid, lungs, liver, spleen, pancreas, GI tract, adrenal glands, kidneys, urinary bladder and prostate are examined. No significant alterations are found except for those secondary to the injury.



OFFICE OF
Pauline G. González

DISTRICT CLERK

HIDALGO COUNTY
February 25, 1987

DRAWER 87
EDINBURG, TEXAS 78540
512 383-2751, ext. 200

Hon. Omar J. Garza
Courthouse
Edinburg, Texas 78540

IN RE: CR-105-87-C
State of Texas
vs.
Alfredo Rivera Hinojosa

Dear Mr. Garza:

Please be advised that the Order on the State's Motion to Amend Indictment was signed in the above entitled and numbered cause on the 23rd day of February, 1987, by Judge Raul L. Longoria.

Should any questions arise, feel free to contact the undersigned.

Sincerely,
PAULINE G. GONZALEZ
DISTRICT CLERK
EDINBURG, TX 78540-0087

Vidala Leiya, Deputy

cc: Court file

Hon. Jose A. Gomez, 106 S. 12th St., Suite 116, Edinburg, Texas

CAUSE NO. CR-105-87-C

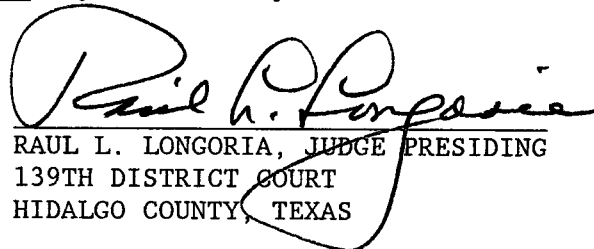
THE STATE OF TEXAS	℥	IN THE JUDICIAL DISTRICT COURT
VS.	℥	HIDALGO COUNTY, TEXAS
<u>ALFREDO RIVERA HINOJOSA</u>	℥	139TH DISTRICT COURT

ORDER

On this the 23rd day of February, 1987, came on to be heard the State's Motion to Amend Indictment and after considering the evidence, this Court is of the opinion that the State's Motion to Amend Indictment is hereby Granted.

It is therefore ORDERED, ADJUDGED and DECREED that the State's Motion to Amend Indictment is hereby granted.

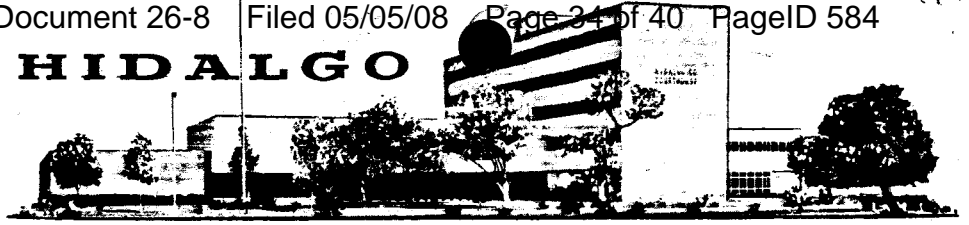
SIGNED and ENTERED this the 23rd day of February, 1987.


RAUL L. LONGORIA, JUDGE PRESIDING
139TH DISTRICT COURT
HIDALGO COUNTY, TEXAS

DATE 2-14-08
A true copy I certify
LAURA HINOJOSA
District Clerk, Hidalgo County, Texas
By [Signature] Deputy

160442

COUNTY HIDALGO



EDINBURG, TEXAS 78539

Bea Rodriguez
Court Coordinator - Interpreter

Ester Flores
Bailliff

Lloyd W. Willis
Official Court Reporter

RAUL L. LONGORIA
JUDGE, 139TH JUDICIAL DISTRICT
OF TEXAS
EDINBURG, TEXAS 78539

A. C. 512-383-2751
Ex. 270

March 18, 1987

Mr. Jose Antonio Gomez
Attorney at Law
117 South 13th Street
Edinburg, Texas 78539

Re: CR-1030-86-C; CR-105-87-C
CR-543-83-C The State of Texas
vs. Alfredo Hinojosa
and CR-1107-86-C The State of Texas
vs. Benito Zuniga

Dear Mr. Gomez:

Because we were not able to try your cases the week of March 9th, please be informed that they are being rescheduled for trial on the merits before a jury for April 6, 1987 at 9:00 am and pretrial April 1, 1987 at 9:00 am.

Please notify your clients of this resetting.

Respectfully,

Raul L. Longoria, Judge
139th District Court

By: _____

/br

cc: Mr. Omar Jaime Garza
Assistant Criminal District Attorney

COUNTY HIDALGO



EDINBURG, TEXAS 78539

Bea Rodriguez
Court Coordinator - Interpreter

Ester Flores
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Official Court Reporter

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Respectfully,

Raul L. Longoria, Judge
139th District Court

By: _____

/br

cc: Mr. Omar Jaime Garza
Assistant Criminal District Attorney



OFFICE OF
Pauline G. González

DISTRICT CLERK
HIDALGO COUNTY

DRAWER 87
EDINBURG, TEXAS 78540
512 383-2751, ext. 200

January 30, 1987

Alfredo Rivera Hinojosa
Hidalgo County Jail
Edinburg, Texas 78539

In Re: Cr-105-87-C
The State of Texas
VS
Alfredo Rivera Hinojosa

Dear Mr. Hinojosa:

The above entitled and numbered cause has been scheduled for arraignment in the 139th District Court at the Courthouse in Edinburg, Texas, on February 6, 1987 at 9:00 a.m.

You are commanded to be personally present with your attorney. If you do not have an attorney by now, you should make arrangements to employ one immediately, as he will be required to be present with you at the time of the hearing.

The Court will require an announcement of "GUILTY" or "NOT GUILTY", by you at the time of the arraignment. Your failure to obtain an attorney and have him present will not delay your trial.

Also, your failure to appear will result in forfeiture of your bond and additional criminal charges of "BAIL JUMPING", being filed against you. DO NOT FAIL TO APPEAR AND MAKE SURE THAT YOUR ATTORNEY APPEARS WITH YOU

Sincerely,
PAULINE G. GONZALEZ
DISTRICT CLERK
EDINBURG, HIDALGO COUNTY, TEXAS 78540-0087

Aurora Ramos

Aurora Ramos
Court file

Honorable Omar Jaime Garza, Assistant Criminal District Attorney,
Edinburg, TX 78539

SURETY SHOULD MAKE SURE THAT THEIR PRINCIPAL APPEAR

Mercedes Police Department

OFFENSE REPORT

NO. _____		MURDER Classification		NO. <u>86-11-038</u>	
1 COMPLAINANT'S NAME (Firm name if business) <u>State of Texas</u>		2 AGE _____	DESCENT _____	SEX _____	3 PHONE (Business) <u>565-3102</u>
4 COMPLAINANT'S ADDRESS <u>c/o 323 S. Ohio St.</u>		5 CITY <u>Mercedes, Texas</u>		6 PHONE (Residence) _____	
7 COMPLAINANT'S BUSINESS, EMPLOYMENT OR SCHOOL _____		8 OBJECT OF ATTACK (Burglary, theft, assault, etc.) <u>Murder sec. 19.02.</u>			
9 PLACE WHERE OFFENSE OCCURRED <u>217 N. Illinois</u>		10 TYPE OF BUILDING (Residence, store, bank, etc.) <u>Lounge</u>			
11 REPORTED BY <u>Sgt. Vasquez</u>	PHONE <u>565-3102</u>	12 REPORTED TO <u>Sgt. Vasquez</u>			
13 DAY, DATE AND TIME OF OFFENSE <u>Sunday 11-09-86 12:26 AM</u>		14 DAY, DATE AND TIME OF REPORT <u>Sunday 11-09-86 12:26 AM</u>			
15 BODILY INJURIES TO <u>Jose Belloso</u>		HOSPITAL? <u>no</u>		16 HOW REPORTED (In person, phone, on view, other) _____	
17 M/O (How done - force used - at what point - with what tool or weapon - other acts or trade marks) <u>Stabbed with a butterfly knife on left side of the chest.</u>					
17A EXACT WORDS USED BY OFFENDER _____					
18 VEHICLE INVOLVED IN OFFENSE (Year - color - make - model - auto license no. - year - state) _____					Complainant's <input type="checkbox"/> Suspect's <input type="checkbox"/>
19 DIRECTION OF FLIGHT <input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W STREET OR ROAD _____		<input type="checkbox"/> AUTO <input type="checkbox"/> FOOT <input type="checkbox"/> UNK. <input type="checkbox"/> OTHER		20 WILL COMPLAINANT PROSECUTE? <u>YES</u>	
21 NAME AND ADDRESS OF SUSPECT(S) - OR AGE DESCENT SEX DESCRIPTION <u>1</u>				22 CIRCLE IF SUSPECT IS Employee - Relative - Acquaintance	
23 WITNESSES NAME BEST CONTACT ADDRESS AGE BEST PHONE OTHER PHONE PARENT OR GUARDIAN? <u>1</u> <u>2</u>					
24 NARRATIVE (Write in any available details not covered above) <div style="padding-left: 40px;"> <p>On November 9, 1986 at about 12:26 AM, Officer Gutierrez, R. Valdez and I responded to a stabbing at Jovita's Place located at 217 North Illinois Ave.</p> </div>					
25 INVESTIGATING OFFICER(S) _____		26 REPORT MADE BY <u>Sgt. Vasquez</u>		DATE <u>11-09-86</u>	
27 CASE FILED <u>11-09-86</u>		28 THIS CASE IS Yes <input type="checkbox"/> No <input type="checkbox"/> Cleared by arrest <input checked="" type="checkbox"/> Unfounded <input type="checkbox"/> Inactive <input type="checkbox"/> Other <input type="checkbox"/>		29 APPROVED BY _____	

Mercedes Police Department**SUPPLEMENTARY REPORT**

NO. _____ Murder _____ NO. 86-11-038
 Classification

Name of Complainant _____ Address _____ Phone No. _____
State of Texas c/o Mercedes Police Dept. 565-3102
 Offense _____

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
 (Investigating Officer must sign)

Page No. _____

Date November 9, 19 86

On November 9, 1986 at about 12:26 AM while I, Sgt. Vasquez, was responding to a stabbing call at Jovita's Place located on the 200 Blk. of North Illinois Ave, I observed a green colored pickup pulling out of the parking lot. As I observed the green colored pickup travel north bound, I saw that it was on the wrong side of the street. As said vehicle approached the intersection of Illinois Ave. and Hidalgo St., I noticed a white colored vehicle, which was turning south onto Illinois Ave., move out of the way to keep from being hit by said pickup. Upon observing this fact, I decided to follow said pickup. I then informed our dispatcher by unit radio that I would be following a green pickup which had pulled out from Jovita's Place. As said vehicle approached Cameron St., I noticed that said vehicle was going from side to side. I then activated my unit's emergency overhead lights to alert the driver to stop. As we approached Starr Street (still traveling on N. Illinois Ave.), vehicle made a left hand turn onto Starr Street. I then noticed Officer Gutierrez' unit, which had his unit's emergency overhead lights also activated, coming towards us. He then parked in at an angle to block said vehicle. I then advised our dispatcher of the license plates said vehicle was displaying, 9384-EF, and brought my unit to a stop and exited my unit. As I noticed that subject was not going to stop, I ran up towards the driver's side, unholstered my weapon, pointed it towards the driver and ordered him to stop the vehicle. As he came to a complete stop in the middle of the street, I ordered him to exit the vehicle. He looked at me and stated in Spanish, "No puedo." As he stated this, I noticed that the driver's side door had a wire wrapped around it to keep it closed. I yanked on the door and opened it keeping my weapon pointed at the driver. I again informed him to step out in Spanish, "salte ven despasito." As he stepped out of the truck, I patted him down for any weapons using my left hand. I noticed Officer Gutierrez next to me so I reholstered my weapon and did a complete pat down on the subject. I informed driver, whom I recognized as Pete Hinojosa, that I had stopped him because he was driving from side to side. He replied, "Ya voy pa la

25 INVESTIGATING OFFICER(S) _____ 26 REPORT MADE BY Sgt. Jesus Vasquez DATE 11-09-86

27 CASE FILED

28 THIS CASE IS

Active ☐

29 APPROVED BY

Yes ☐ No ☐ Cleared by arrest ☐ Unfounded ☐ Inactive ☐ Other ☐

SUPPLEMENTARY REPORT

NO. _____	Murder Classification	NO. <u>86-11-038</u>
<hr/>		
Name of Complainant <u>State of Texas</u>	Address <u>c/o Mercedes Police Dept.</u>	Phone No. <u>565-3102</u>
<hr/>		
Offense _____		

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
(Investigating Officer must sign)

Page No. 2 Date November 9, 19 86

casa" in a slurred type of voice with a strong odor of alcohol coming from his breath. I then informed Mr. Hinojosa that he was under arrest for Driving While Intoxicated. Once I had Mr. Hinojosa handcuffed, I ordered Officer Gutierrez to go and protect the scene at Jovita's Place. I then escorted Mr. Hinojosa towards my unit and placed him inside. Noticing that Mr. Hinojosa's truck was in the middle of the street, I decided to move it to the drive thru outlet of the Hidalgo Bank. I then responded to Jovita's Place to back up Officer Gutierrez in the stabbing call. Upon arrival, I made contact with Officer Gutierrez who informed me that we did have a male subject who had been stabbed. I immediately got my first aid kit from the trunk of my unit walked inside and attempted to give first aid to the subject. I noticed Officer R. Valdez arrive so I ordered him to keep an eye on the male subject I had arrested since he was in my patrol unit. I also ordered Officer Gutierrez to start identifying everyone in the bar. I also informed our dispatcher that we needed an investigator as soon as possible at our location. Being unable to get a pulse on the male subject, I discontinued my first aid procedures. I then instructed Officer R. Valdez not to let anyone in or out said place to standby until we got an investigator at the scene while I took the male subject to police department. I then transported Mr. Hinojosa to police department where I placed him in our cell and informed our dispatcher to renotify our Chief and tell him that I strongly believed that the male subject was going to die. I then responded back to where I had left the truck and started to inventory it. I informed Officer R. Valdez and R. Gutierrez that Inspector Vargas was enroute to their location. Upon inventorying Mr. Hinojosa's vehicle, I found a gold colored knife under the seat which had blood stains on it. I informed officers that a weapon had been found and might be the weapon used. I then requested for a camera to take pictures of the truck and the weapon. Chief Pape came over and photographed the truck and weapon. Vehicle was picked up by Juan's Wrecker Service and brought to the police department for processing. Inspector Vargas later removed

25 INVESTIGATING OFFICER(S) _____	26 REPORT MADE BY <u>Sgt. Jesus Vasquez</u>	DATE <u>11-09-86</u>
<hr/>		
27 CASE FILED Yes <input type="checkbox"/> No <input type="checkbox"/>	28 THIS CASE IS Cleared by arrest <input type="checkbox"/> Unfounded <input type="checkbox"/> Inactive <input type="checkbox"/> Other <input type="checkbox"/>	29 APPROVED BY _____

SUPPLEMENTARY REPORT

NO. _____ Murder _____ NO. 86-11-038
 Classification

Name of Complainant _____ Address _____ Phone No. _____
State of Texas c/o Mercedes Police Dept. 565-3102

Offense _____

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
 (Investigating Officer must sign)

Page No. 3 Date November 9, 19 86

the weapon. Due to his call and other calls we handled during our shift, which was very busy. I was not able to give Mr. Hinojosa an intoxilyzer test for the alcohol on his breath. Later, Pete Hinojosa was identified as Alfredo Rivera Hinojosa alias Freddy Rivera.

NOTE: After being informed of his rights, Mr. Hinojosa admitted to Inspector Vargas and me of the stabbing. (We are witnesses of his admission).

25 INVESTIGATING OFFICER(S) _____ 26 REPORT MADE BY Sgt. Jesus Vasquez DATE 11-09-86

27 CASE FILED _____ 28 THIS CASE IS _____ Active ☐ 29 APPROVED BY _____

Yes ☐ No ☐ Cleared by arrest ☐ Unfounded ☐ Inactive ☐ Other ☐ _____